

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case Number: 24-23364-CIV-MARTINEZ/SANCHEZ

STATE OF FLORIDA,

Plaintiff,

v.

BENZO ELIAS RUDNIKAS,

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

THIS MATTER is before the Court upon the Report and Recommendation (“R&R”) of the Honorable Eduardo I. Sanchez, United States Magistrate Judge, (ECF No. 69), on Defendants’ Motion for Remand to State Court for Lack of Subject Matter Jurisdiction and Motion for Attorney Fees (“Motion for Remand”), (ECF No. 5), and additional pending motions.¹ Judge Sanchez recommended that the Motion for Remand be granted, that the accompanying Motion for Attorneys Fees be denied, and that additional pending motions be denied as moot. The Court has reviewed the entire file and record, and notes that no objections have been filed. Accordingly, after careful consideration, it is hereby **ORDERED AND ADJUDGED** as follows:

1. The Report and Recommendation, (ECF No. 69), is **AFFIRMED** and **ADOPTED**.
2. The Motion for Remand for Lack of Subject Matter Jurisdiction, (ECF No. 5), is **GRANTED**.

¹ This case was previously referred to Judge Sanchez for a ruling on all pre-trial, non-dispositive matters, and for a Report and Recommendation on all dispositive matters. (ECF No. 8.)

3. This case is **REMANDED** to the Eleventh Judicial Circuit of Florida in and for Miami-Dade County.
4. Defendants' accompanying Motion for Attorneys Fees is **DENIED**.
5. The Clerk of Court is **DIRECTED** to **DENY** all additional pending motions as **MOOT** and **CLOSE** this case.

DONE AND ORDERED in Miami, Florida, this 5th day of September, 2025.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge Sanchez
All Counsel of Record